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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,371	04/28/2000	Lucius Gregory Meredith	MS147249.1	3551

27195 7590 11/01/2005

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EXAMINER

ROCHE, TRENTON J

ART UNIT PAPER NUMBER

2193

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/560,371	<b>Applicant(s)</b> MEREDITH ET AL.	
	<b>Examiner</b> Trenton J. Roche	<b>Art Unit</b> 2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 8-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This Office action is responsive to communications filed 6 September 2005.
2. Per Applicants' request, amended claims 8, 15, 16 and 22 have been entered. Claims 8-25 are currently pending.
3. Claims 8-25 have been examined.

### ***Response to Arguments***

4. Applicants' arguments with respect to claims 8-25 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,930,512 to Boden et al. (hereinafter "Boden"), in view of U.S. Patent 6,598,219 to Lau.

### **Regarding claims 8, 16 and 22:**

Boden teaches:

- a system that facilitates modeling of business processes comprised of a plurality of business operations comprising a computer-readable medium and a plurality of computer-executable

files (“a computer implemented method and system for implementing a workflow process server. A collection of processes defining a business workflow is generated...” in col. 2 lines 51-54)

- a scheduling component that employs a dataflow diagram to define a flow of business operations, the dataflow diagram includes actions coupled via data flowing between them (Note at least Figure 12 and the corresponding sections of the disclosure. Further, “In a FlowMark process, the following are defined: how work is to progress from one activity to the next; which persons are to perform activities and what programs they are to use...” in col. 4 lines 57-60, “The flow of control through a running process determines the sequence in which activities are executed” in col. 5 lines 63-64. Finally, “The buildtime client constructs processes defining the flow and constructs of a work process, including activities, programs or processes, people, roles, and control data connectors” in col. 13 lines 22-25)
- a binding component that defines the business operations through a schedule message, a port connection, a port and a message interface with a component outside the schedule (“A program activity has a program assigned to perform it. The program is invoked when the activity is started...” in col. 5 lines 21-22. Further, “In the FlowMark workflow manager, program means a computer-based application program that supports the work to be done in an activity...” in col. 7 lines 29-31.)

substantially as claimed. While Boden discloses the use of HTML with scheduling and binding (Note Figure 6, item 150 and the corresponding sections of the disclosure), Boden does not explicitly disclose the scheduling component and binding component employing/being based in/utilizing XML. Lau discloses in an analogous software modeling system the ability to express a meta data model using XML (“a data model expressed in the form of a document according to a meta data

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language...said data elements being arranged according to a meta data model, wherein said meta data model mirrors the sequence of tasks defined in the user interface...meta data language may comprise XML...” in col. 3 lines 5-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ XML with the scheduling and binding components of the system disclosed by Boden, as this would integrate with the use of HTML and, by representing the model using an open standard, conventional parsers for the open standard may be used to retrieve the model information, as noted by Lau in col. 2 lines 33-35.

**Regarding claim 9:**

The rejection of claim 8 is incorporated, and further, Boden discloses the binding component further defines technology specific information for binding business operations to at least one technological component as claimed (“A program activity has a program assigned to perform it. The program is invoked when the activity is started...” in col. 5 lines 21-22. Further, “In the FlowMark workflow manager, program means a computer-based application program that supports the work to be done in an activity...” in col. 7 lines 29-31.)

**Regarding claim 10:**

The rejection of claim 8 is incorporated, and further, Boden discloses binding a single business operation to a plurality of technological components as claimed (“The process can consist of just one activity or of many activities and blocks” in col. 8 lines 32-33. As noted in the rejection of claim 1, activities have programs assigned to support them.)

**Regarding claim 11:**

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The rejection of claim 8 is incorporated, and further, Boden discloses a binding file that provides port and message mapping between operations and between business operations and technological components as claimed (“HTML representation of those processes...” in col. 13 line 56. Further, note Figure 6, item 150 and the corresponding sections of the disclosure.)

**Regarding claim 12:**

The rejection of claim 8 is incorporated, and further, Boden discloses the binding component further defines message structure and declaring messages as claimed (Note the rejection of claim 11. HTML defines a structure for messages.)

**Regarding claims 13 and 14:**

The rejection of claim 8 is incorporated, and further, note the rejection regarding claim 11. The HTML representation of the processes and overall workflow model define semantics and conditionals of the model.

**Regarding claim 15:**

The rejection of claim 8 is incorporated, and further, Boden discloses a second binding component that binds the business operations with a second component outside of the dataflow diagram as claimed (“executing the processes is accomplished by (1) inverse transforming the related HTML page (also known as a HTML process definition) to the language of a workflow server...” in col. 2 lines 59-62)

**Regarding claim 17:**

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The rejection of claim 16 is incorporated, and further, note the rejection regarding claim 10.

**Regarding claim 18:**

The rejection of claim 16 is incorporated, and further, Boden discloses business operations as actions connected by data flowing between them and actions are ports and messages wherein a binding file provides virtual port and message mapping between business operations and technological components as claimed (Note at least Figure 12 and the corresponding sections of the disclosure. Further, “In a FlowMark process, the following are defined: how work is to progress from one activity to the next; which persons are to perform activities and what programs they are to use...” in col. 4 lines 57-60, “The flow of control through a running process determines the sequence in which activities are executed” in col. 5 lines 63-64. Finally, “The buildtime client constructs processes defining the flow and constructs of a work process, including activities, programs or processes, people, roles, and control data connectors” in col. 13 lines 22-25)

**Regarding claim 19:**

The rejection of claim 16 is incorporated, and further, note the rejection regarding claim 12.

**Regarding claim 20:**

The rejection of claim 16 is incorporated, and further, note the rejection regarding claim 13.

**Regarding claim 21:**

The rejection of claim 16 is incorporated, and further, note the rejection regarding claim 14.

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**Regarding claim 23:**

The rejection of claim 22 is incorporated, and further, Boden discloses the binding module allowing the user to specify the business implementation as claimed (“defining process and activity settings...” in col. 6 lines 61-62)

**Regarding claim 24:**

The rejection of claim 22 is incorporated, and further, Boden discloses allowing the user to specify programmable semantics as claimed (Note the rejection regarding claim 23)

**Regarding claim 25:**

Note the rejection regarding claim 22.

***Conclusion***

7. Applicants’ amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



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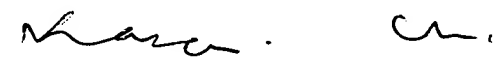
8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Trenton J. Roche whose telephone number is (571) 272-3733. The Examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trenton J Roche  
Examiner  
Art Unit 2193

TJR



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